

William Phillips – County Route 6
Dianne O’Neal – Route 9
Sharon Drive Residents

Scott DeLaurentis – Trout Creek Road
Mel and Phyllis Heiko – Moore Road

CLERMONT PLANNING BOARD

May 14, 2008

The Clermont Planning Board held its regular meeting on Wednesday, May 14, 2008 at 7:00 P.M. at the Town Hall. Those in attendance were Chairman Larry Saulpaugh, Nancy Sperry, Clayton Andrus, Tom Jantzen, Garret O'Connor. Aldo Dusman and Robert Queirolo were absent.

Others present were William Phillips, Scott DeLaurentis, Michael Farrell, Dianne O’Neal, Robert Desmond, Charles Abraham, Dan Wheeler, Town Engineer, Mel Heiko, Andy Howard, Town Attorney, Mary Funk, Theresa Mulkins and Nicole McCluskey.

Garret O’Connor noted one correction for the minutes of April 9, 2008. Page 1 – Deed restriction on the Trigo/Ricardo subdivision on County Route 6 map should note ‘Parcel A – one residence, Parcel B – two residences’. A motion was made by Garret O'Connor to accept the minutes with correction, seconded by Nancy Sperry. All in favor. So carried.

WILLIAM PHILLIPS – COUNTY ROUTE 6 – Subdivision of approximately 5.50 acres into three parcels, Lot 1- 1.035 acres, Lot 2 – 1.683 acres, Lot 3- 2.780 acres. Mr. Phillips is waiting for deed description on each parcel from his surveyor. The Zoning Board of Appeals resolution is on file approving four area variances for lot width of one lot and substandard lot size for three lots with restrictions. Mr. Phillips has Board of Health approval for Lot 3 and a shared driveway agreement for Lots 2 & 3. Garret O'Connor reviewed the driveway permit from Columbia County. The agricultural data statement will be sent to the Werner Farm. Mr. Phillips should send out notification letters to adjoining landowners, certified return receipt. A public hearing will be scheduled for Wednesday, June 11th at 7:30 P.M.

SCOTT AND GARY DELAURENTIS – TROUT CREEK ROAD – Two Boundary Line changes from a parcel originally approximately 30 acres. Merging .785 acres to be merged with a parcel of 6.250 acres belonging to Michael Farrell, merging 3.010 acres to 5.98 acres belonging to Gary DeLaurentis. Garret O'Connor suggested showing boundary lines differently. Once the maps are changed, the Chairman will let the secretary know to advertise for public hearing on Wednesday, June 11th at 7:30 P.M. A motion was made by Garret O'Connor, seconded by Tom Jantzen to authorize the Chairman to check maps and if okay the public hearing can be set for next month. All in favor. So carried.

DIANNE O’NEAL – ROUTE 9 - Farm market, commercial use
Ms. O’Neal has received conceptual approval from DOT for the driveway and conceptual approval from Health Department for design and the location for the percolation test.

Dan Wheeler asked about the building elevations – in the set of plans, there is no elevation view. If it is not changing the elevation a picture may do. If it is changing, then there should be an elevation view. Dan will review plans for next meeting.

MEL HEIKO – MOORE ROAD – A discussion on Andy Howard's review of the Heiko's deed in which it was determined that the covenants and restrictions apply to the Heiko property and do they preclude the application for the accessory apartment. It is Mr. Howard's opinion that they do apply but do not preclude. The deed of Heikos, dated 11/11/1994 describing Lot #2- Catskill View estates #2. Original deed states as Lot #1 – Catskill view estates. Lots #2 and #3 are within the subdivision plat – Catskill View Estates Section 1. This is in the RA zone and an accessory apartment is a permitted use, subject to the necessary approvals. The covenant and restriction states that it can be used for residential and accessory uses, anything short of a commercial use would be permitted. Another restriction in the deed is no permanent or temporary mobile homes or no further subdivision.

The Secretary will write a letter to ZBA recommending approval for special permit to Mel and Phyllis Heiko.

A motion was made to approve the special permit application of Mel and Phyllis Heiko to add a kitchen to an existing accessory building by Nancy Sperry seconded by Tom Jantzen. All in favor. So carried.

SHARON DRIVE RESIDENTS - Mary Funk, Theresa Mulkins and Nicole McCluskey came before the board concerned that a parcel had been sold on Sharon Drive. There is a new owner since 9/20/07 – Andy explained that the matter is in litigation. Mr. Ackerman's attorney has not represented on any sale of lot since our notice of pendency. Any title search that is run will show a defect of title. One parcel was purchased in March 2008 from another person in the development.

In regard to physical conditions: Ms. Mulkins had questions about other issues of extension of culvert, berm and curbing on her parcel. There is a drain which is eroding and in her opinion unsafe. She is worried about children getting caught in it. Mr. Howard explained that Mr. Ackerman would have to satisfy the issues. The owners can wait for the Town to take care of this but they can also exercise their rights as well.

A motion was made to adjourn by Nancy Sperry, seconded by Garret O'Connor. All in favor. So carried.

Respectfully submitted,

Mary Helen Shannon
Secretary

